



5-158

ORDINANCE NO. 1849

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A SPECIFIC USE PERMIT FOR A NON DRIVE-IN RESTAURANT WITH OUTSIDE SALES WINDOWS ON A 0.689 ACRE PARCEL OF LAND BEING A PART OF LOTS 1, 2 AND 3, BLOCK 7A OF REPLAT PART BLOCK 7 PHASE II BROOKHAVEN BUSINESS PARK ADDITION AND WITHIN THE PLANNED DEVELOPMENT NO. 23 (PD-23) ZONING DISTRICT; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

Whereas, the Planning and Zoning Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the Charter of the City of Farmers Branch, and the State Law with reference to the granting of Specific Use Permits under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Farmers Branch is of the opinion that said change in zoning use should be made, subject to the conditions set out herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended by granting a Specific Use Permit for a non drive-in restaurant with outside sales windows in the Planned Development No. 23. Said restaurant shall be located within a 0.689 acre parcel of land being part of Lots 1, 2, and 3, Block 7A of Replat Part Block 7 Phase II Brookhaven Business Park Addition as more fully described in the attached Exhibit "A".

SECTION 2. That the Comprehensive Zoning Ordinance of the City of Farmers Branch is hereby amended by amending the zoning map of the City of Farmers Branch so as to indicate a Specific Use Permit for a non drive-in restaurant with outside sales windows in the Planned Development No. 23 (PD-23) Zoning District.

SECTION 3. That the above described restaurant shall be constructed in the manner set forth on the approved site plan attached as Exhibit "B".

SECTION 4. That all ordinances of the City of Farmers Branch in conflict with the provisions of this ordinance be, and the same is hereby repealed and all other provisions of the City of Farmers Branch not in conflict with the provisions of this ordinance shall remain in full force and effect.

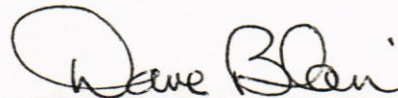
SECTION 5. That the above described tract of land shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Farmers Branch.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2000.00) for each offense.

SECTION 7. This ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance, as the law in such case provides.

DULY PASSED BY THE CITY COUNCIL of the City of Farmers Branch, Texas, on this the 6th day of November, 1989.

APPROVED:



Mayor

APPROVED AS TO FORM:

ATTEST:

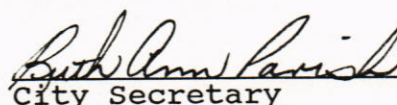

City Attorney
City Secretary

EXHIBIT "A"

PROPERTY DESCRIPTION

BEING part of Lots 1 and 2, Block 7A of REPLAT PART BLOCK 7 PHASE II BROOKHAVEN BUSINESS PARK ADDITION, an addition to the City of Farmers Branch, Dallas, Texas, recorded in Volume 78203, Page 2882 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

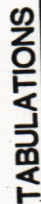
BEGINNING at a point 189.98' west of a 1/2" iron rod for corner at the southernmost corner of a corner cut-off at the present intersection of the south R.O.W. line of Beltline Road (a 100' R.O.W.) with the west R.O.W. line of Marsh Lane (a 70' R.O.W.) which constitutes the northwest corner of the adjacent service station site;

THENCE South 200.00' for a corner;

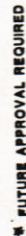
THENCE west 150.00' for a corner;

THENCE north 200.00' for a corner;

THENCE South 89 degrees 41' 30" East 150.00 to point of beginning containing 30,000 square feet or .689 acres.



		PARCELS			TOTAL
		1	2	3	
LAND AREA	ACRES	3.95 AC	.92 AC	.69 AC	5.56
	SF	172,188	40,000	30,000	242,188
BUILDING AREA	SF	40,160	1,232	2,640	44,022
FLOOR AREA RATIO		.22:1	.03:1	.09:1	.18:1
PARKING REQUIRED		240	6	36	272
PARKING PROVIDED		240	6	39	275
LANDSCAPE S.F.		12,960	7,000	3,900	23,860
LANDSCAPE %		8%	17%	13%	10%



1. MUTUAL ACCESS AGREEMENT TO BE BETWEEN ALL PARCELS
2. PARKING TO BE PROVIDED PURSUANT TO APPROVED SITE PLAN
3. UTILITIES AND EASEMENTS SHALL BE SHOWN ON REPLAT PURSUANT TO APPROVED SITE PLAN

DRIVE THRU RESTAURANT - S.U.P.

FARMER'S BRANCH, TEXAS

A PROJECT OF

CARLOS MONTERO

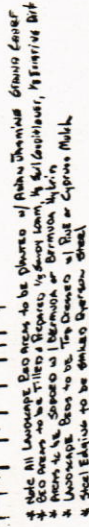
O'BRIEN
O'BRIEN
& ASSOCIATES

ARCHITECTURE
PLANNING INTERIORS

39068

Exhibit "B" 1 of 3

BELT LINE ROAD



CARLOS MONTERO

SOUTHWEST CORNER OF BELT LINE & MARSH



NORTH



